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| Substitute for form 1449/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Application Number | 07/827,906-Conf. #3375 |
| | | Filing Date | January 30, 1992 |
| | | First Named Inventor | Kenneth A. Barton |
| | | Art Unit | 1638 |
| | | Examiner Name | A. R. Kubelik |
| <div> <div>1</div> <div>of</div> <div>23</div> </div> | | Attorney Docket Number | 28079/41333 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|--|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ² , Number ³ , Kind Code ⁴ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁵ |

| NON PATENT LITERATURE DOCUMENTS | | | | | | | |
|---------------------------------|--------------------------|---|--|--|--|--------------------|------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | | T ² | |
| | C1 | Complaint for Patent Infringement Dissatisfaction, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C2 | Monsanto's Answer, Affirmative Defenses and Counterclaims, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C3 | Mycogen's Reply to Monsanto's Counterclaims, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C4 | Mycogen's Response to Monsanto's First Set of Interrogatories (1-18), as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C5 | Monsanto's Response to Mycogen's First Set of Interrogatories (Nos. 1-14), as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C6 | Monsanto's Expert Report of John T. Goolkasian, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C7 | Monsanto's Expert Report of Joachim Messing, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C8 | Mycogen's Expert Report of Joseph O. Falkinham, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C9 | Monsanto's Rebuttal Expert Report of Dr. Joachim Messing, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C10 | Mycogen's Rebuttal Expert Report of Dr. Joseph Falkinham, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C11 | Monsanto's Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| | C12 | Mycogen's Opposition to Monsanto's Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | | | | | |
| Examiner Signature | /Anne Kubelik/ | | | | | Date Considered | 02/10/2009 |

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| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

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| C13 | Monsanto's Reply Memorandum in Support of its Motion for Summary Judgment Regarding Fischhoff's Priority of Invention, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | |
| C14 | Entry of Pending Motions re denying Monsanto's Motions for Summary Judgment as to priority of invention and as to Fischhoff; Monsanto's Motion to Exclude Falkinham testimony is denied; Mycogen's Motion to Exclude Goolkasian testimony is granted, as filed in <i>Mycogen Corp. v. Monsanto Co.</i> , 1:04-CV-0573 DFH-WTL, U.S. District Court for the Southern District of Indiana (Indianapolis). | |
| C15 | Ciba's Notice Pursuant to 35 U.S.C. §282, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C16 | Notice of Mycogen's and Agrigenetics' Pursuant to 35 U.S.C. § 282, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C17 | Ciba's Supplement to the Notice Pursuant to 35 U.S.C. §282, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C18 | Monsanto Company's Responses to Ciba-Geigy Corporation's First Set of Interrogatories (Nos. 1-6), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C19 | Monsanto Company's Answers to Ciba-Geigy Corporation's Second Set of Interrogatories, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C20 | Monsanto Company's Responses to Ciba-Geigy Corporation's Set of Extra Interrogatories to Monsanto Company, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C21 | Monsanto's Responses to Mycogen's First Set of Interrogatories, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C22 | Monsanto Company's Answers to Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Interrogatories 31-40, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C23 | Ciba-Geigy Corporation's Responses to Monsanto Company's First Set of Interrogatories (Nos. 1-14) as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C24 | Mycogen Plant Science and Agrigenetics' Objections and Responses to Monsanto Company's First Set of Interrogatories (1-9) to MPS and Agrigenetics, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C25 | Monsanto's Motion For Judgment As A Matter of Law Or, in the Alternative, A New Trial, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C26 | Novartis' Motion For Judgment As A Matter of Law, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |

Examiner
Signature

/Anne Kubelik/

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| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

- C27 Mycogen and Agrigenetics Motion For Judgment As A Matter Of Law, Or Alternatively, For A Partial New Trial On Limited Issues, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C28 Novartis' Opening Brief in Support of Its Renewed Motion for Judgment As A Matter of Law, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C29 Monsanto's Brief in Support of Its Motion for Judgment As a Matter of Law or, In The Alternative, A New Trial, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C30 Mycogen and Agrigenetics Brief in Support of Their Motion for Judgment as a Matter of Law or Alternatively, for a Partial New Trial on Limited Issues, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C31 Monsanto's Opposition to Defendant's Motions for Judgment As A Matter of Law, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C32 Novartis' Answering Brief in Opposition to Monsanto's Motion for Judgment As A Matter of Law or, In The Alternative, A New Trial, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C33 Mycogen's Brief In Opposition to Monsanto's Motion for Judgment As A Matter Of Law Or, In The Alternative, A New Trial, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C34 Mycogen's Reply Brief in Support of Its Motion for Judgment as a Matter of Law or, Alternatively, A Partial New Trial on Limited Issues, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C35 Novartis' Reply Brief in Support of Its Renewed Motion for Judgment as a Matter of Law, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C36 Monsanto's Reply Brief in Support of Its Motion for Judgment as a Matter of Law or, In The Alternative, A New Trial, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C37 Hearing Transcript of 7/17/96 Hearing on Pending Motions, pages 1-3 and 44-61, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C38 Ciba-Geigy's Motion and Notice for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C39 Monsanto's Opposition to Ciba's Motion for Summary Judgment of Invalidity for Prior Invention Under 35 U.S.C. § 102(g), as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.

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| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

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| C40 | Ciba's Reply Brief in Support of Its Motion for Summary Judgment of Invalidity of the '365 Patent Under 35 U.S.C. § 102(g)a, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C41 | 4/2/98 Letter Shaw to Dalleo Transmitting Mycogen's Corrected Brief in Support of its Motion for Summary Judgment that the '365 Patent is Invalid Under U.S.C. § 103 (Obviousness) as <i>Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C42 | Mycogen's Motion and Brief for Summary Judgment that the '365 Patent is Invalid Under 35 U.S.C. § 103 (OBVIOUSNESS), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C43 | Monsanto's Answering Brief to Mycogen's Motion for Summary Judgment That the '365 Patent is Invalid Under 35 U.S.C. § 103 (Obviousness), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C44 | Mycogen's Reply Brief in Support of Its Motion for Summary Judgment that the '365 Patent is Invalid, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C45 | Defendants Mycogen Plant Science and Agrigenetics, Inc. Motion and Memorandum in Support Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112 ¶ 1, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C46 | Defendants Mycogen & Agrigenetics Brief in Support of its Motion Pursuant to rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112, ¶ 1 (Corrected), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C47 | Errata Sheet for Defendants' Mycogen Plant Science and Agrigenetics Brief in Support of its Motion Pursuant to Rule 12(b)(6) for Dismissal on the Basis of Monsanto's Failure to Comply with the Written Description Requirement of 35 USC § 112, ¶ 1, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C48 | Plaintiff Monsanto's Brief in Opposition to Defendants Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Motion Pursuant to Rule 12(b)(6) Fed. R. Civ. P. for Dismissal Based on Compliance with 35 U.S.C. § 112 (Written Description Requirement), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C49 | Defendant Mycogen's Reply Brief in Support of its Motion Pursuant to Rule 12(b)(6), Fed. R. Civ. P., for Dismissal on the Basis of Monsanto's Failure to Comply With the Written Description Requirement of 35 U.S.C. § 112 ¶ 1, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |

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| | | Filing Date | January 30, 1992 |
| | | First Named Inventor | Kenneth A. Barton |
| | | Art Unit | 1638 |
| | | Examiner Name | A. R. Kubelik |
| | | Attorney Docket Number | 28079/41333 |
| 1 | Of | 23 | |

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| C50 | ORDER Denying Defendants' Motion for Dismissal on the Basis of Monsanto's Failure to Comply With the Written Description Requirement of 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C51 | Ciba-Geigy's Motion and Notice for Summary Judgment of Invalidity for Lack of Written Description under 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C52 | Mycogen's Motion for Summary Judgment of Invalidity of the '365 Patent Under 35 U.S.C. § 112 (Inadequate Written Description), as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C53 | Plaintiff Monsanto's Combined Brief in Opposition to Defendants Mycogen and Ciba's Motions for Summary Judgment of Invalidity for Lack of Adequate Written Description Under 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C54 | Mycogen's Reply Brief in Support of its Motion for Summary Judgment of Invalidity of the '365 Patent for Lack of Written Description Under 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C55 | Ciba's Reply Brief to Monsanto's Combined Brief in Opposition to Mycogen's and Ciba's Motions for Summary Judgment of Invalidity for Lack of Written Description Under 35 U.S.C. § 112, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C56 | Order For Entry of Judgment, Granting Plaintiff's Motion For Judgment as a Matter of Law in Pending Motions, AS FILED IN <i>MONSANTO CO. V. MYCOGEN PLANT SCIENCE, INC., AGRIGENETICS, INC., AND CIBA-GEIGY CORP.</i> , 96-133-RRM, UNITED STATES COURT DISTRICT OF DELAWARE. | |
| C57 | Judgment In Favor of Defendants, AS FILED IN <i>MONSANTO CO. V. MYCOGEN PLANT SCIENCE, INC., AGRIGENETICS, INC., AND CIBA-GEIGY CORP.</i> , 96-133-RRM, UNITED STATES COURT DISTRICT OF DELAWARE. | |
| C58 | Opinion of Judge McKelvie on pending trial issues and post trial motions, including inequitable conduct, 61 F. Supp. 2d 133 (D.Del. 1999) in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C59 | Revised Opinion On Post Trial Motions And Motion On Inequitable Conduct, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C60 | Federal Circuit decision on appeal from <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware, 261 F.3d 1356 (Fed. Cir. 2001). | |
| C61 | Trial Transcript, Opening Statement by Mr. Lynch (Monsanto), pages 63-84, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |

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| C62 | Trial Transcript, Opening Statement by Mr. Drivas (Novartis), pages 122-136, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C63 | Trial Transcript, Opening Statement by Mr. Olson (Mycogen/Agrigenetics), pages 138-168, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C64 | Trial Transcript, Rebuttal Opening Statement by Mr. Lynch (Monsanto), pages 168-172, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C65 | Trial Transcript, Stephen Rogers, Direct examination by Mr. Lynch (Monsanto), pages 173-195, dated June 15, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C66 | Trial Transcript, Stephen Rogers, Continued Direct examination by Mr. Lynch (Monsanto), pages 217-234, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C67 | Trial Transcript, Stephen Rogers, Cross examination by Mr. Drivas (Novartis), pages 234-244, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C68 | Trial Transcript, Stephen Rogers, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 244-253, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C69 | Trial Transcript, Stephen Rogers, Redirect examination by Mr. Lynch (Monsanto), pages 254-255, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C70 | Trial Transcript, Stephen Rogers, Transition statements, pages 255-257, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C71 | Trial Transcript, John Goolkasian, Direct examination by Ms. Knoll (Monsanto), pages 357-372, 375-399, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C72 | Trial Transcript, John Goolkasian, Cross examination by Mr. Drivas (Novartis), pages 399-400, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C73 | Trial Transcript, John Goolkasian, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), pages 401-422, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C74 | Trial Transcript, John Goolkasian, Redirect examination by Ms. Knoll (Monsanto), pages 422-423, dated June 16, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |

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| Examiner Signature | /Anne Kubelik/ | Date Considered | 02/10/2009 |
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Substitute for form 1449 (PTO)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Of

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Complete if Known

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| Application Number | 07/827,906-Conf. #3375 |
| Filing Date | January 30, 1998 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

- C75 Trial Transcript, John Goolkasian Transition statements, pages 423-425, dated June 16, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C76 Trial Transcript, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 427-436, 440-472, dated June 16, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C77 Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Drivas (Novartis), pages 472-486, dated June 16, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C78 Trial Transcript, Dr. Nam-Hai Chua, Continued Cross examination by Mr. Drivas (Novartis), pages 503-538, dated June 17, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C79 Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 538-570, dated June 17, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C80 Trial Transcript, Dr. Nam-Hai Chua, Redirect examination by Mr. Lynch (Monsanto), pages 570-581, 594-605, dated June 17, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C81 Trial Transcript, Dr. Nam-Hai Chua Transition Statements, pages 605-606, dated June 17, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C82 Trial Transcript, Deposition Testimony of Kenneth Barton, pages 1047-1064, dated June 18, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C83 Trial Transcript, John Dewhirst, Direct examination by Mr. Drivas (Novartis), pages 1066-1080, dated June 18, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C84 Trial Transcript, John Dewhirst, Cross examination by Ms. Knoll (Monsanto), pages 1080-1088, dated June 18, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C85 Trial Transcript, John Dewhirst, Redirect examination by Mr. Drivas (Novartis), pages 1088-1091, dated June 18, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C86 Trial Transcript, Deposition Testimony of Michael Miller, pages 1102-1110, dated June 19, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C87 Trial Transcript, Deposition Testimony of Sandra Cannon, pages 1110-1123, dated June 19, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.

Examiner
Signature

/Anne Kubelik/

Date
Considered

02/10/2009

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| Substitute for form 1449/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Application Number | 07/827.906-Conf. #5375 |
| | | Filing Date | January 30, 1998 |
| | | First Named Inventor | Kenneth A. Barton |
| | | Art Unit | 1638 |
| | | Examiner Name | A. R. Kubenik |
| | | Attorney Docket Number | 28079/47333 |

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| C88 | Trial Transcript, Transition Statements regarding Michael Miller and Sandra Cannon, pages 1125-125, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C89 | Trial Transcript, Deposition Testimony of Fred Perlak, pages 1125-1137, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C90 | Trial Transcript, Deposition Testimony of Edgar Lawson, pages 1137-1139, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C91 | Trial Transcript, Deposition Testimony of David Fishhoff and transition statement, pages 1140-1155, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C92 | Trial Transcript, Dr. Julia Bailey-Serres, Direct examination by Mr. Drivas (Novartis), pages 1161-1219, 1223-1238, 1250-1260, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C93 | Trial Transcript, Dr. Julia Bailey-Serres, Cross examination by Mr. Lynch (Monsanto), pages 1260-1286, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C94 | Trial Transcript, Dr. Julia Bailey-Serres, Redirect examination by Mr. Drivas (Novartis), pages 1289-1292, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C95 | Trial Transcript, Deposition Testimony of Fred Perlak, pages 1337-1342, dated June 19, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C96 | Trial Transcript, Guy Cardineau, Direct examination by Mr. Guise (Mycogen/Agrigenetics), pages 1392-1405, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C97 | Trial Transcript, Guy Cardineau, Cross examination by Mr. Lynch (Monsanto), pages 1405-1413, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C98 | Trial Transcript, Guy Cardineau, Redirect examination and transition statement by Mr. Guise (Mycogen/Agrigenetics), pages 1413-1418, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C99 | Trial Transcript, Michel Adang, Direct examination by Mr. Mahaney (Mycogen/Agrigenetics), pages 1418-1453, dated June 24, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |

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| Examiner Signature | /Anne Kubenik/ | Date Considered | 02/10/2009 |
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number 07/827,906-Conf. #3375
 Filing Date January 30, 1997
 First Named Inventor Kenneth A. Barton
 Art Unit 1638
 Examiner Name A. R. Kubelik
 Attorney Docket Number 28079/41333

2 Of 23

- C100 Trial Transcript, Michel Adang, Cross examination by Mr. Lynch (Monsanto), pages 1453-1487, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C101 Trial Transcript, Michel Adang, Redirect examination by Mr. Mahaney (Mycogen/Agrigenetics), pages 1487-1492, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C102 Trial Transcript, Gerald Bjorge, Direct examination by Mr. Olson (Mycogen/Agrigenetics), pages 1497-1514, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C103 Trial Transcript, Gerald Bjorge, Cross examination by Ms. Knoll (Monsanto), pages 1514-1531, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C104 Trial Transcript, Gerald Bjorge, Redirect examination and transition statement by Mr. Olson (Mycogen/Agrigenetics), pages 1532-1536, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C105 Trial Transcript, Deposition Testimony of Lawrence Lavin, pages 1537-1538, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C106 Trial Transcript, Joseph Falkinham, Direct examination by Mr. Olson (Mycogen/Agrigenetics), pages 1539-1604, dated June 24, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C107 Trial Transcript, Joseph Falkinham, Cross examination by Mr. Lynch (Monsanto), pages 1655, 1666-1696, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C108 Trial Transcript, Joseph Falkinham, Redirect examination and transition statement by Mr. Olson (Mycogen/Agrigenetics), pages 1696-1707, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C109 Trial Transcript, Deposition Testimony of Dr. Nam-Hai Chua and transition statements, pages 1707-1708, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C110 Trial Transcript, Fred Perlak, Rebuttal Direct examination by Mr. Lynch (Monsanto), pages 1712-1773, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C111 Trial Transcript, Fred Perlak, Cross examination by Mr. Drivas (Novartis), pages 1773-1821, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.

Examiner
 Signature

/Anne Kubelik/

Date
 Considered

02/10/2009

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Of

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Complete if Known

Application Number 07/827,906-Conf. #3375
Filing Date January 30, 1992
First Named Inventor Kenneth A. Bakton
Art Unit 1638
Examiner Name A. R. Kubelik
Attorney Docket Number 28079/4333

- C112 Trial Transcript, Fred Perlak, Cross examination by Mr. Olson (Mycogen/AgriGenetics), pages 1821-1841, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C113 Trial Transcript, Fred Perlak, Redirect examination by Mr. Lynch (Monsanto), pages 1842-1843, and transition statement by Mr. Olson (Mycogen/AgriGenetics), pages 1843-1844 dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C114 Trial Transcript, Roy Fuchs, Direct examination by Mr. Lynch (Monsanto), pages 1845-1855, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C115 Trial Transcript, Roy Fuchs, Cross examination by Mr. Drivas (Novartis), page 1855, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C116 Trial Transcript, Roy Fuchs, Cross examination by Mr. Dickerson (Mycogen/AgriGenetics), pages 1855-1860, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C117 Trial Transcript, Harry Klee, Direct examination by Mr. Lee (Monsanto), pages 1867-1874, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C118 Trial Transcript, Harry Klee, Cross examination by Mr. Drivas (Novartis), pages 1874-1875, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C119 Trial Transcript, Harry Klee, Cross examination by Mr. Mahaney (Mycogen/AgriGenetics), pages 1875-1878, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C120 Trial Transcript, Linda Hanley Bowdoin, Direct examination by Mr. Lee (Monsanto), pages 1880-1885, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C121 Trial Transcript, Linda Hanley Bowdoin, Cross examination by Mr. Drivas (Novartis), pages 1885-1887, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C122 Trial Transcript, Tom Rogers, Direct examination by Ms. Knoll (Monsanto), pages 1887-1894, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C123 Trial Transcript, Tom Rogers, Cross examination by Mr. Drivas (Novartis), pages 1894-1897, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C124 Trial Transcript, Toni Armstrong, Direct examination by Mr. Lee (Monsanto), pages 1897-1902, dated June 25, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.

Examiner
Signature

/Anne Kubelik/

Date
Considered

02/10/2009

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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| Application Number | 07/827,906-Conf. #5375 |
| Filing Date | January 30, 1992 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/4.333 |

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| C125 | Trial Transcript, Toni Armstrong, Cross examination by Mr. Oelke (Novartis), pages 1902-1903, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C126 | Trial Transcript, Toni Armstrong, Cross examination by Mr. Dickerson (Mycogen/Agrigenetics), page 1903, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C127 | Trial Transcript, Jeanne Layton, Direct examination by Mr. Lee (Monsanto), pages 1904-1912, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C128 | Trial Transcript, Jeanne Layton, Cross examination by Mr. Oelke (Novartis), page 1912, dated June 25, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C129 | Trial Transcript, David Fishhoff, Direct examination by Ms. Knoll (Monsanto), pages 1924-1963, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C130 | Trial Transcript, David Fishhoff, Cross examination by Mr. Drivas (Novartis), pages 1963-2018, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C131 | Trial Transcript, David Fishhoff, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 2018-2044, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C132 | Trial Transcript, David Fishhoff, Redirect examination by Ms. Knoll (Monsanto), pages 2045-2046, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C133 | Trial Transcript, Transition statements examination by Mr. Lynch (Monsanto) and Mr. Drivas (Novartis), pages 2047-2051, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C134 | Trial Transcript, Deposition transcript of Walter Wright, pages 2051-2056, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C135 | Trial Transcript, Dr. Nam-Hai Chua, Direct examination by Mr. Lynch (Monsanto), pages 2057-2071, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |
| C136 | Trial Transcript, Dr. Nam-Hai Chua, Cross examination by Mr. Olson (Mycogen/Agrigenetics), pages 2087-2096, dated June 26, 1998, as filed in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. | |

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| Examiner Signature | /Anne Kubelik/ | Date Considered | 02/10/2009 |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Of

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Complete if Known

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| Application Number | 07/827,906-Conf. #5375 |
| Filing Date | January 30, 1997 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelink |
| Attorney Docket Number | 28079/4333 |

- C137 Trial Transcript, Opening Statement by Mr. Drivas (Novartis) on inequitable conduct, pages 2209-2227, dated June 26, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C138 Trial Transcript, Opening Statement by Mr. Tomasch (Mycogen/Agrigenetics) on inequitable conduct, pages 2228-2253, dated June 26, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C139 Trial Transcript, Closing Argument by Mr. Lynch (Monsanto), pages 2277-2319, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C140 Trial Transcript, Closing Argument by Mr. Drivas (Novartis), pages 2320-2369, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C141 Trial Transcript, Closing Argument by Mr. Olson (Mycogen/Agrigenetics), pages 2371-2414, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C142 Trial Transcript, Rebuttal Argument by Mr. Lynch (Monsanto), pages 2414-2421, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C143 Trial Transcript, Rebuttal Argument by Mr. Drivas (Novartis), pages 2421-2422, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C144 Trial Transcript, Rebuttal Argument by Mr. Olson (Mycogen/Agrigenetics), pages 2422-2424, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C145 Trial Transcript, Opening Statement by Mr. Lynch (Monsanto) on inequitable conduct, pages 2432-2446, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C146 Trial Transcript, Lawrence Bogorad, Direct examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2447-2493, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C147 Trial Transcript, Lawrence Bogorad, Cross examination by Mr. Lynch (Monsanto), pages 2493-2505, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C148 Trial Transcript, Lawrence Bogorad, Redirect examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2505-2509, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C149 Trial Transcript, David Fishhoff, Examination by Mr. Tomasch (Mycogen/Agrigenetics), pages 2509-2547, dated June 29, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.

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|-----------------------|----------------|--------------------|------------|
| Examiner Signature | /Anne Kubelink | Date Considered | 02/10/2009 |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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|------------------------|------------------------|
| Application Number | 07/827,906-Conf. #3375 |
| Filing Date | January 30, 1992 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelick |
| Attorney Docket Number | 28079/41633 |

- C150 Trial Transcript, David Fishhoff, Continued examination by Mr. Tomajch (Mycogen/Agrigenetics), pages 2582-2614, dated July 8, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C151 Trial Transcript, David Fishhoff, Examination by Mr. Drivas (Novartis), pages 2614-2645, dated July 8, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C152 Trial Transcript, David Fishhoff, Examination by Ms. Knoff (Monsanto), pages 2646-2658, dated July 8, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C153 Trial Transcript, Closing argument by Mr. Tomasch (Mycogen/Agrigenetics) on inequitable conduct, pages 2658-2686, dated July 8, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C154 Trial Transcript, Closing argument by Mr. Drivas (Novartis) on inequitable conduct, pages 2691-2699, dated July 8, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C155 Trial Transcript, Closing argument by Mr. Lynch (Monsanto), pages 2699-2708, dated July 8, 1998, as filed in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C156 Expert report of Michael Adang, submitted 3/25/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C157 Expert report of Arthur Aronson, submitted 3/25/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C158 Expert report of Julia Bailey-Serres, submitted 3/25/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C159 Expert report of Gerald Bjorge, submitted 3/25/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C160 Expert report of Gerald Bjorge, submitted 4/15/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C161 Expert report of Lawrence Bogorad, submitted 3/25/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C162 Expert report of John Dewhirst, submitted 3/25/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.
- C163 Expert report of Joseph Falkinham, submitted 4/15/98 in *Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.*, 96-133-RRM, United States Court District of Delaware.

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/Anne Kubelick

Date
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Application Number | 07/827,906-Conf. 95375 |
| Filing Date | January 30, 1997 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelick |
| Attorney Docket Number | 28079/44333 |

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| C164 | Expert report of Joseph Falkinham, submitted 3/25/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C165 | Expert report of Joseph Falkinham, submitted 4/30/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C166 | Expert report of John Goolkasian, submitted 3/25/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C167 | Expert report of John Goolkasian, submitted 4/15/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C168 | Expert report of Julia Bailey-Serres, submitted 4/15/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C169 | Expert report of Nam-Hai Chua, submitted 4/15/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C170 | Expert report of Nam-Hai Chua, submitted 3/25/98 in <i>Monsanto Co. v. Mycogen Plant Science, Inc., Agrigenetics, Inc., and Ciba-Geigy Corp.</i> , 96-133-RRM, United States Court District of Delaware. |
| C171 | Monsanto's Responses to Mycogen's First Set of Interrogatories, dated July 10, 1995, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C172 | Monsanto's Responses to Plaintiffs' Fourth Set of Interrogatories, dated January 21, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C173 | Mycogen Plant Science, Inc. and Agrigenetics, Inc.'s Responses to Monsanto's First Set of Interrogatories (Nos. 1-11), dated June 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C174 | Mycogen's Notice of Motion and Motion for Summary Judgment of Validity and Memorandum of Points and Authorities in Support of Its Motion for Summary Judgment of Validity (includes Declaration of Laurenson in Support), dated December 28, 1995, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C175 | Mycogen's Statement of Undisputed Facts in Support of Its Motion for Summary Judgment of Validity, dated December 28, 1995, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C176 | Monsanto's Memorandum in Opposition to Mycogen's Motion for Summary Judgment of Validity and Exhibits in Support, filed July 24, 1996, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C177 | Mycogen's Reply in Support of Its Motion for Summary Judgment of Validity, dated August 5, 1996, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |

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| Examiner Signature | /Anne Kubelick/ | Date Considered | 02/10/2009 |
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| Application Number | 07/827,906-Conf. #3375 |
| Filing Date | January 30, 1999 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

- C178 Order Denying Motion for Summary Judgment of Validity; Denying Motion for Summary Judgment Re Interpretation of 35 U.S.C. § 271(g); Granting Motion for Summary Judgment on Claim Construction, filed August 15, 1996, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C179 Monsanto's Motion and Notice of Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103 Pursuant to Fed. R. Civ. P. 56, dated March 30, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C180 Mycogen's and Agrigenetics's Opposition to Monsanto's Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103 (includes Declaration of F.T. Alexandra Mahaney and Appendix, dated April 13, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C181 Reply Brief of Monsanto in Support of Its Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g) and § 103, dated April 20, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C182 Monsanto's Motion and Notice of Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831 (includes Declaration of Melinda Patterson), dated March 30, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C183 Mycogen's Opposition to Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831 (includes Declaration of F.T. Alexandra Mahaney and Appendix, dated April 13, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C184 Reply Memorandum in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated April 20, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C185 Order Lifting Stay; Order Granting Monsanto's Motion for Summary Judgment Under 35 U.S.C. §§ 102(g) and 103; Order Denying Monsanto's Motion for Summary Judgment Under 35 U.S.C. § 112 as moot, filed November 10, 1999, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C186 *Mycogen Plant, et al. v. Monsanto Company*, 252 F.3d 1306 (Fed. Cir. 2001) – *Inter alia*, reversing summary judgment of invalidity under 35 U.S.C. § 102(g).
- C187 Supplemental Memorandum of Points and Authorities in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, filed November 19, 2001, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C188 Mycogen's Opposition to Monsanto's Motion on Remand for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated December 3, 2001, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).
- C189 Reply Memorandum of Points and Authorities in Support of Monsanto's Motion for Summary Judgment of Invalidity of Claims 1-12 of U.S. Patent No. 5,380,831, dated December 10, 2001, as filed in *Mycogen Plant, et al. v. Monsanto Company*, 95-CV-653, U.S. District Court, Southern District of California (San Diego).

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/Anne Kubelik/

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| Application Number | 07/827,906-Conf. #3375 |
| Filing Date | January 30, 1992 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

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| C190 | Order Denying Monsanto's Motion for Summary Judgment, dated June 4, 2002, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C191 | Rule 26 Expert Report of John T. Goolkasian, dated November 13, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C192 | Rule 26 Expert Report of Dallas E. Johnson, dated November 13, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C193 | Expert Report of Dr. Joachim Messing, dated November 13, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C194 | Rebuttal Expert Report of Joseph Falkinham III, dated December 18, 2003, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , 95-CV-653, U.S. District Court, Southern District of California (San Diego). |
| C195 | Notice of DeKalb Pursuant to 35 U.S.C. § 282, dated December 12, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C196 | Notice Under 35 U.S.C. § 282 by Monsanto and Delta and Pine Land Company, dated December 20, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C197 | Mycogen's Supplemental Responses to Interrogatory Nos. 7 and 9 of DeKalb's Second Set of Interrogatories, dated December 9, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C198 | Mycogen's Response to Monsanto's First Set of Interrogatories, dated June 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C199 | Mycogen's Supplemental Response to Monsanto's First Set of Interrogatories, dated December 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C200 | Monsanto's Responses to Mycogen's and Agrigenetics' First Set of Interrogatories, dated April 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C201 | Monsanto's and Delta and Pine Land's Supplemental Responses to Interrogatories, dated November 21, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C202 | Delta and Pine Land's Responses to Mycogen's and Agrigenetics' First Set of Interrogatories, dated April 28, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C203 | Mycogen's and Agrigenetics' Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50, dated February 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C204 | Mycogen's and Agrigenetics' Post-Trial Brief in Support of Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50 (includes Appendix, dated March 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company</i> , et al. 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington)). |

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Date
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Application Number | 07/827,906-Conf. #5375 |
| Filing Date | January 30, 1992 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/44333 |

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| C205 | Monsanto's and Delta and Pine Land's Opposition to Mycogen's Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50 (includes Appendix in Support; see Appendix OP 448.2, 448.3 and 448.4), dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C206 | Memorandum of DeKalb Genetics in Opposition to Plaintiff's Motion for Judgment as a Matter of Law, dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C207 | Mycogen's Reply Brief in Support of Its Motion for Judgment as a Matter of Law Under Fed. R. Civ. P. 50, dated May 11, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C208 | Monsanto's and Delta and Pine Land's Renewed Motion for Judgment as a Matter of Law at the Close of Evidence, dated February 2, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C209 | Monsanto's and Delta and Pine Land's Renewed Motion for Judgment as a Matter of Law after the Verdict, dated February 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C210 | Memorandum in Support of Monsanto's and Delta and Pine Land's Renewed Motions for Judgment as a Matter of Law, dated March 20, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C211 | Defendants' Reply to Plaintiffs' Opposition to Monsanto's and Delta and Pine Land's Motion for Judgment as a Matter of Law, dated May 12, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C212 | Letter from Balick, Ashby & Geddes to Judge McKelvie re Issues Raised in DeKalb's Motion for Partial Summary Judgment, dated October 13, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C213 | Letter from Ingersoll to Judge McKelvie re Mycogen's Replying in Banner Deposition for Summary Judgment Argument, dated January 6, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C214 | Monsanto's and Delta and Pine Land's Brief in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated November 24, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C215 | Plaintiffs' Brief in Opposition to Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated December 22, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C216 | Amended Version of Plaintiffs' Brief in Opposition to Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated December 23, 1997, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C217 | Reply Brief of Monsanto and Delta and Pine Land in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 102(g), dated January 7, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |

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/Anne Kubelik/

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number 07/827,906-Conf. #3375
Filing Date January 30, 1992
First Named Inventor Kenneth A. Barton
Art Unit 1638
Examiner Name A. R. Kubelick
Attorney Docket Number 28079/4333

- C218 Monsanto's and Delta and Pine Land's Brief in Support of Its Motion for Summary Judgment of Invalidity of Patent Nos. 5,567,600 and 5,567,862 Under 35 U.S.C. § 112, dated October 27, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C219 Plaintiffs' Answering Brief to Monsanto's Motion for Summary Judgment of Invalidity of Patent Nos. 5,567,600 and 5,567,862 Under 35 U.S.C. § 112, dated November 24, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C220 Declaration of Dr. Guy Cardineau in Support of Plaintiffs' Answering Brief to Monsanto's Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112, dated November 24, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C221 Monsanto's and Delta and Pine Land's Reply to Mycogen's Answer to Monsanto's Brief in Support of Their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 112, dated December 8, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C222 Opening Memorandum in Support of the Motion of DeKalb for Partial Summary Judgment of Invalidity (includes Appendix), dated October 13, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C223 Plaintiffs' Answering Brief to DeKalb's Motion for Partial Summary Judgment of Invalidity, dated November 18, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C224 Declaration of Keith Walker in Support of Answering Brief to DeKalb's Motion for Partial Summary Judgment of Invalidity, dated November 18, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C225 DeKalb's Reply Brief in Support of Its Motion for Partial Summary Judgment of Invalidity (includes Appendix), dated December 11, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C226 Judgment, dated February 5, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C227 Revised Opinion on Post-Trial Motions and Motion for Attorney Fees and on Inequitable Conduct, dated September 8, 1999, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C228 Donald J.V. Banner Expert Report, dated November 3, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C229 Dallas Johnson Expert Report, dated November 3, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C230 Joachim Messing Expert Report, dated November 3, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).
- C231 Lawrence Bogorad Expert Report, dated November 14, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al.*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

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| Application Number | 07/827,906-Conf. #3375 |
| Filing Date | January 30, 1992 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41333 |

C232 Joseph O. Falkinham Rebuttal Report, dated November 24, 1997, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C233 *Mycogen Plant Science, Inc. v. Monsanto Co.*, 243 F.3d 1316 (2001).

C234 Trial Transcript, Opening Statement by Mr. Olson, pages 89-96, 101-118, dated January 20, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C235 Trial Transcript, Opening Statement by Mr. Lynch, pages 118-152, dated January 20, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C236 Trial Transcript, Opening Statement by Mr. Baumgartner, pages 154-193, dated January 20, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C237 Trial Transcript, Elizabeth E. Murray, Direct Examination by Mr. Olson, pages 443-481, dated January 21, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C238 Trial Transcript, Elizabeth E. Murray, Continued Direct Examination by Mr. Olson, pages 493-504, dated January 22, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C239 Trial Transcript, Elizabeth E. Murray, Cross-Examination by Ms. Knoll, pages 504-559, dated January 22, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C240 Trial Transcript, Elizabeth E. Murray, Cross-Examination by Mr. Baumgartner, pages 559-588, dated January 22, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C241 Trial Transcript, Elizabeth E. Murray, Redirect by Mr. Olson, pages 589-617, dated January 22, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C242 Trial Transcript, Frederick J. Perlak, Direct Examination by Mr. Lynch, pages 875-730, dated January 23, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C243 Trial Transcript, Frederick J. Perlak, Cross-Examination by Mr. Olson, pages 930-968, dated January 23, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C244 Trial Transcript, Frederick J. Perlak, Redirect by Mr. Lynch, pages 968-973, dated January 23, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C245 Trial Transcript, Sylvia McPherson, Direct Examination by Mr. Lee, pages 979-984, dated January 23, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

C246 Trial Transcript, Sylvia McPherson, Cross-Examination by Mr. Olson, pages 984-987, dated January 23, 1998, as filed in *Mycogen Plant, et al. v. Monsanto Company, et al*, 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington).

Examiner
Signature /Anne Kubelik/

Date
Considered 02/10/2009

Substitute for form 1449-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/41833 |

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| C247 | Trial Transcript, Sylvia McPherson, Redirect by Mr. Lee, pages 987-988, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C248 | Trial Transcript, Harry J. Klee, Direct Examination by Ms. Knoll, pages 989-996, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C249 | Trial Transcript, Harry J. Klee, Cross-Examination by Mr. Olson, pages 996-997, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C250 | Trial Transcript, Roy Fuchs, Direct Examination by Mr. Lynch, pages 998-1012, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C251 | Trial Transcript, Roy Fuchs, Cross-Examination by Mr. Olson, pages 1012-1016, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C252 | Trial Transcript, Linda Hanley-Bowdoin, Direct Examination by Ms. Knoll, pages 1017-1023, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C253 | Trial Transcript, Linda Hanley-Bowdoin, Cross-Examination by Mr. Olson, page 1024, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C254 | Trial Transcript, Stephen C. Rogers, Direct Examination by Mr. Lynch, pages 1025-1042, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C255 | Trial Transcript, Stephen C. Rogers, Cross-Examination by Mr. Olson, pages 1042-1046, dated January 23, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C256 | Trial Transcript, David Fischhoff, Direct Examination by Mr. Sayler, pages 1079-1111, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C257 | Trial Transcript, David Fischhoff, Cross-Examination by Mr. Olson, pages 1111-1156, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C258 | Trial Transcript, David Fischhoff, Redirect by Mr. Sayler, pages 1156-1160, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C259 | Trial Transcript, Joachim Messing, Direct Examination by Mr. Lynch, pages 1166-1203, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C260 | Trial Transcript, Joachim Messing, Cross-Examination by Mr. Olson, pages 1203-1229, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C261 | Trial Transcript, Catherine Mackey, Direct Examination by Mr. Baumgartner, pages 1237-1272, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |

Examiner
 Signature /Anne Kubelik/

Date
 Considered 02/10/2009

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Of

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| Application Number | 07/827,906-Conf. #3375 |
| Filing Date | January 30, 1997 |
| First Named Inventor | Kenneth A. Barton |
| Art Unit | 1638 |
| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/4.333 |

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| C262 | Trial Transcript, Catherine Mackey, Cross-Examination by Mr. Olson, pages 1273-1292, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C263 | Trial Transcript, Catherine Mackey, Redirect by Mr. Baumgartner, pages 1292-1294, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C264 | Trial Transcript, Michael A. Stephens, Direct by Mr. Baumgartner, pages 1302-1325, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C265 | Trial Transcript, Michael A. Stephens, Cross-Examination by Mr. Olson, pages 1325-1335, dated January 26, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C266 | Trial Transcript, Michael A. Stephens, Continued Cross-Examination by Mr. Olson, pages 1342-1344, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C267 | Trial Transcript, Daniel R. Gallie, Direct by Mr. Baumgartner, pages 1359-1402, 1410-1435, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C268 | Trial Transcript, Daniel R. Gallie, Cross-Examination by Mr. Guise, pages 1435-1448, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C269 | Trial Transcript, Daniel R. Gallie, Redirect by Mr. Baumgartner, pages 1448-1453, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C270 | Trial Transcript, Video Excerpts from Don Merlo Deposition, pages 1463-1478, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C271 | Trial Transcript, Deposition Testimony from Donald Merlo, pages 1483-1496, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C272 | Trial Transcript, Deposition Testimony from Thomas Rocheleau, pages 1497-1520, dated January 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C273 | Trial Transcript, Joseph O. Falkinham, Direct Examination by Mr. Guise, pages 1625-1654, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C274 | Trial Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Lynch, pages 1654-1690, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C275 | Trial Transcript, Joseph O. Falkinham, Cross-Examination by Mr. Baumgartner, pages 1690-1691, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |
| C276 | Trial Transcript, Joseph O. Falkinham, Redirect by Mr. Guise, pages 1691-1694, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). | |

Examiner
Signature

/Anne Kubelik/

Date
Considered

02/10/2009

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| Attorney Docket Number | 28079/41833 |

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| C277 | Trial Transcript, Michael J. Adang, Direct Examination by Ms. Mahaney, pages 1701-1744, 1747-1750, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C278 | Trial Transcript, Michael J. Adang, Cross-Examination by Mr. Lynch, pages 1750-1778, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C279 | Trial Transcript, Michael J. Adang, Cross-Examination by Mr. Baumgartner, pages 1778-1813, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C280 | Trial Transcript, Michael J. Adang, Redirect by Ms. Mahaney, pages 1813-1820, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C281 | Trial Transcript, Deposition Testimony of John Ingle, pages 1833-1840, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C282 | Trial Transcript, Jean Romero-Severson, Direct Examination by Ms. Mahaney, pages 1841-1847, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C283 | Trial Transcript, Jean Romero-Severson, Cross-Examination by Ms. Knoll, pages 1847-1850, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C284 | Trial Transcript, Deposition Testimony of Carolyn Stock, pages 1851-1862, dated January 28, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C285 | Trial Transcript, Deposition Testimony of Carolyn Stock (Continued), pages 1933-1939, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C286 | Trial Transcript, Theodore Klein, Direct Examination by Mr. Katcoff, pages 1970-1993, 2003-2013, dated January 19, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C287 | Trial Transcript, Theodore Klein, Cross-Examination by Mr. Baumgartner, pages 2014-2054, dated January 19, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C288 | Trial Transcript, Theodore Klein, Redirect by Mr. Katcoff, pages 2054-2058, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C289 | Trial Transcript, Deposition Testimony of Charles Armstrong, pages 2063-2074, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C290 | Trial Transcript, Deposition Testimony of Ben Bowen, pages 2074-2094, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C291 | Trial Transcript, Deposition Testimony of William Gurley, pages 2132-2141, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |

Examiner
 Signature

/Anne Kubelick/

Date
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| Examiner Name | A. R. Kubelik |
| Attorney Docket Number | 28079/4/333 |

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| C292 | Trial Transcript, Deposition Testimony of Lorance Greenlee, pages 2192-2194, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C293 | Trial Transcript, Deposition Testimony of Larry Swaney, pages 2194-2196, dated January 29, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C294 | Trial Transcript, Deposition Testimony of Kevin McBride, pages 2254-2257, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C295 | Trial Transcript, Deposition Testimony of Duff Dean, pages 2257-2258, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C296 | Trial Transcript, Deposition Testimony of Sherr Brown, pages 2258-2261, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C297 | Trial Transcript, Deposition Testimony of Charles Romano, pages 2261-2264, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C298 | Trial Transcript, Deposition Testimony of Dave Corbin, pages 2264-2273, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C299 | Trial Transcript, Deposition Testimony of Duff Dean (Counterdesignation), pages 2275-2276, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C300 | Trial Transcript, Closing Argument by Mr. Olson, pages 2368-2371, 2396-2433, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C301 | Trial Transcript, Closing Argument by Mr. Lynch, pages 2434-2476, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C302 | Trial Transcript, Closing Argument by Mr. Baumgartner, pages 2479-2522, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C303 | Trial Transcript, Closing Argument by Mr. Olson (Continued), pages 2522-2528, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C304 | Trial Transcript, Closing Argument by Mr. Baumgartner (Continued), pages 2528-2530, dated January 30, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |
| C305 | Plaintiffs' Answering Brief in Opposition to Monsanto's and Delta and Pine Land's Motion for Judgment as a Matter of Law, dated April 27, 1998, as filed in <i>Mycogen Plant, et al. v. Monsanto Company, et al.</i> , 1:96-cv-00505-RRM, U.S. District Court, District of Delaware (Wilmington). |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant's unique citation designation number (optional) *Applicant is to place a check mark here if English language Translation is attached

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| Examiner Signature | /Anne Kubelik/ | Date Considered | 02/10/2009 |
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